

REMARKS

In the Office Action mailed March 29, 2004, the Examiner noted that claims 1-27 were pending, and rejected claims 1-27. Claims 1, 4, 6-11, 13-15, 17, 19-21, 26 and 27 have been amended, new claim 28 has been added and, thus, in view of the forgoing claims 1-28 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejections are traversed below.

In the Office Action the Examiner rejected claims 4, 5, 17, 18, 24 and 25 under 35 USC § 112, paragraph 1, for lack of enablement. In the rejection the Examiner has asserted that that the invention does not enable development of a predetermined menu on the screen if an application which does not store menu information is started or no application is started.

The present invention, with respect to the issue raised by the Examiner, is discussed in a number of places in the specification and drawings. For example, at page 4, lines 10-24 the specification describes a predetermined or default type menu being presented or displayed to the user on a display screen when a started application does not include menu information for creating a specific menu or when no application is started. The default menu is called a launcher menu and is for the user to use in selecting an application and starting the selected application. This process is described in more detail with respect to figure 13 on specification pages 22 and 23. This portion of the specification describes and figure 13 shows a step S1 where a test is performed to see if an application has been activated and a step S2 where a test is performed to determine if menu information for the application exists. If either of the tests result in a "no", control passes to passes to step S4 where the launcher or default type menu is started (see page 22, lines 21-25). This displayed launcher menu can be scrolled (see S5 in figure 13) and an item selected (see S6 in figure 13) using a mouse-like input device that includes a touch surface for moving the cursor or pointer. The launcher menu is for starting applications (see page 4, lines 23-24).

As can be seen from the above discussion and the corresponding portions of the specification and drawings, the invention displays an application start or launcher menu when no application has been started or when a started application has no corresponding menu information.

To clarify this, the claims have been amended to clarify that the predetermined menu is displayed. The specification has also been amended to make the display of the default application start or launcher, predetermined menu more clear.

It is submitted that the claims are enabled by the specification and drawings and withdrawal of the rejection is requested.

In the Office Action the Examiner rejected claims 1-27 under 35 U.S.C. section 112 paragraph 2 as indefinite. The claims have been amended in consideration of the Examiner's comments and it is submitted they satisfy the requirements of the statute. If additional concerns with the claims arise, the Examiner is invited to telephone to resolve the same. Suggestions by the Examiner are also welcome. Withdrawal of the rejection is requested.

Page 3 of the Office Action rejects claims 1-3, 6-16, 19-23 and 25-27 under 35 U.S.C. § 103 over Higuchi.

The present invention is directed to a system for displaying menus of applications. Applications have different menus. For example, a word processing application will have a different menu than a spread sheet application. This is particularly true for customized applications. Because the menus can be different, the present invention has menu characteristic information that is stored for each application. That is, the menu characteristic information determines the characteristics of the menu for a particular application. During operation, a user activates an application, say using an application button, and the system checks to see if there is an application for the button already running. If the application is executing, the system checks to see if there is a menu corresponding to the application. If so, the menu characteristic information is obtained and the menu is displayed based on that characteristic information. If there is no application being executed for the button or if there is no menu characteristic information for the button, the system activates an application start or launcher menu. The user is then allowed to select an application to start. This is particularly described with respect to figure 13 on specification pages 22 and 23. The determination discrimination as to whether an application is existing or started and the use of the characteristic menu information to display a menu corresponding to the application is emphasized in the claims (see "discriminating whether one of the applications is started and displaying a menu corresponding to the started application on a screen using said menu information" - claim 1).

In contrast, Higuchi is directed to a system for allowing a menu that cannot be fully shown on a screen to be accessed by scrolling. In Higuchi, there is no starting of an application to display a menu for that application. Rather the system itself starts with the menus for applications already being displayed and the user selects a menu (see "When the system is started up, the menus are displayed The operator can select a menu" - Higuchi page 2, lines 3-6). As a result, there is no need to perform the discrimination operation performed by the

present invention. For this reason, it is submitted that the present invention distinguishes over Higuchi.

Since the menus in Higuchi are already displayed there is no decision as to whether menu characteristic information for a menu exists or not as there is with respect to the present invention. For this further reason, it is submitted that the present invention distinguishes over Higuchi.

As noted above, in the present invention because different applications have different menus, characteristic information is stored for the menus. Since in Higuchi the menus are displayed when the system starts, there is no need to have characteristic menu information stored for them. That is, there is no need to describe the characteristics of the menus since they are fixed. As a result, there is no need display a menu corresponding to the characteristic menu information as is the case in the present invention. For this additional reason, it is submitted that the present invention distinguishes over Higuchi.

It is submitted that the invention of independent claims 1, 14 21 and 28 distinguishes over the prior art and withdrawal of the rejection is requested.

The dependent claims depend from the above-discussed independent claims and are patentable over the prior art for the reasons discussed above. The dependent claims also recite additional features not taught or suggested by the prior art. For example, claims 4/5 call for displaying an application launch or start menu when no application is started. Higuchi says nothing about this. It is submitted that the dependent claims are independently patentable over the prior art.

It is submitted that the claims satisfy the requirements of 35 U.S.C. 112. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.


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If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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